

Exhibit "A"

INTRODUCTION

A18
(LEGAL)

This manual contains policies governing the operation of this District.

The policies are included

1. because they are required by law or by the Texas Education Agency;
2. because they are recommended by the Texas Association of School Boards as essential to effective District governance and management; or
3. because the Board wishes to make a statement in a particular policy area.

This Localized Policy Manual was created with the assistance of TASB Policy Service and adheres to certain structural conventions. The most visible of these conventions is the presence of separate (LEGAL) and (LOCAL) policies at many policy codes. This separation, described in greater detail below, serves to help all users—whether members of the public or members of the Board—distinguish between the requirements of an extensive body of school law and the policy determinations of the local Board. Policy BE(LEGAL), for instance, recites statutes and case law governing meetings of the Board, while policy BE(LOCAL) adds a local dimension (agenda preparation, meeting time/place, and the like). To fully understand policy regarding Board meetings, therefore, the manual user should consider both the (LEGAL) and the (LOCAL) policies together.

This policy manual and its updates are provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional advisor. Consult with your attorney or professional advisor to apply these principles to specific fact situations.

Basic Organization

The District's manual is organized on the same basis as the *TASB Policy Reference Manual*. There are seven sections, each devoted to a separate area of District governance:

- A—Basic District Foundations
- B—Local Governance
- C—Business and Support Services
- D—Personnel
- E—Instruction
- F—Students
- G—Community and Governmental Relations

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Tables of Contents

Each section of the manual has a table of contents that lists the policy topics in that section with their respective codes. The tables of contents are designed for expansion and may contain topics that do not have a corresponding policy in the manual.

In Policy On Line®, the table of contents for a particular section contains a list of documents—each an active link—that appear in that section.

Cross-Index

A comprehensive cross-index lists topics and provides the policy codes under which information is found. Entries in the cross-index reflect statutory terminology, common usage, and significant margin notes. Because the cross-index is used also for the *TASB Policy Reference Manual* and the *TASB Regulations Resource Manual*, it contains some references to codes and topics more appropriate for a local administrative procedures manual than a board policy manual.

In Policy On Line, the cross-index contains active links to the identified policy codes where materials on a given topic may be found.

Legally Referenced Policies

The legally referenced “(LEGAL)” policies track the language of the U.S. and Texas Constitutions; federal and state statutes, including the Texas Education Code; attorney general opinions; the Texas Administrative Code, including Commissioner’s and State Board of Education rules; and other sources of authority defining the legal context for local school district governance and management.

Policy statements that cite court cases or attorney general opinions stand only for the specific statements in the policy and do not otherwise implicate the elements, contents, or conclusions of the cited authority. Such citations are provided only for reference; no other meaning is implied or intended.

The (LEGAL) policies within this manual represent the working core of legal provisions, critical to day-to-day, month-to-month decision making, regarding District governance and management. The absence of a (LEGAL) policy at a given policy code in this manual may mean that the law is silent regarding this topic.

All legally referenced policies have the designation “(LEGAL)” in the upper right corner of each page directly below the alphabetical code. This code is repeated in the lower left corner where it is followed by the (LEGAL) designation and a “version” identifier as described below.

Versions

The (LEGAL) policies found in this manual derive from (LEGAL) policies found in corresponding codes in the *TASB Policy Reference Manual*. While the *TASB Policy Reference Manual* contains provisions applicable to all districts as well as mutually exclusive

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provisions designed for districts of different types, sizes, and geographical locations, this Localized Policy Manual contains legal provisions specific to the District and included to inform local action.

The (LEGAL) “versions” developed by TASB Policy Service include only the legal provisions relevant to a particular district and are identified by a letter (or letter/number combination) other than “–P” in the lower left corner of the page. To review the full range of options within a (LEGAL) policy, refer to the same code in the *TASB Policy Reference Manual*.

Citations

In (LEGAL) policies, citations that are attached to a provision or paragraph apply only to that text. Citations that are separated from the policy text by a double line space govern all material above the citation or up to the previous citation.

Abbreviations

The following abbreviations are used in the italicized legal citations in the manual:

| Abbreviation | Full Form |
|----------------------------|---|
| Art. | Article |
| Atty. Gen. L.A. | Attorney General Letter Advisory |
| Atty. Gen. L.O. | Attorney General Letter Opinion |
| Atty. Gen. Op. | Attorney General Opinion |
| Atty. Gen. ORD | Attorney General Open Records Decision |
| Business and Commerce Code | Texas Business and Commerce Code |
| C.F.R. | Code of Federal Regulations |
| Civ. Prac. & Rem. Code | Texas Civil Practices and Remedies Code |
| Code of Criminal Procedure | Texas Code of Criminal Procedure |
| Education Code | Texas Education Code |
| Election Code | Texas Election Code |
| F.Supp. | Federal Supplement |
| F.2d | Federal Reporter, Second Series |
| F.3d | Federal Reporter, Third Series |
| Family Code | Texas Family Code |
| Gov’t Code | Texas Government Code |

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| Abbreviation | Full Form |
|------------------------|--------------------------------------|
| Health and Safety Code | Texas Health and Safety Code |
| Human Resources Code | Texas Human Resources Code |
| Insurance Code | Texas Insurance Code |
| Labor Code | Texas Labor Code |
| Local Gov't Code | Texas Local Government Code |
| Occupations Code | Texas Occupations Code |
| Penal Code | Texas Penal Code |
| S.Ct. | Supreme Court Reporter |
| S.W. | Southwestern Reporter |
| S.W.2d | Southwestern Reporter, Second Series |
| S.W.3d | Southwestern Reporter, Third Series |
| TAC | Texas Administrative Code |
| Tax Code | Texas Tax Code |
| Tex. Const. | Texas Constitution |
| Trans. Code | Texas Transportation Code |
| U.S. | United States Reporter |
| U.S.C. | United States Code |
| U.S. Const. | United States Constitution |
| V.A.T.S. | Vernon's Annotated Texas Statutes |

No Adoption

Please note that (LEGAL) policies are NOT adopted by the Board. These documents are snapshots of often rapidly evolving law and are intended to inform decision makers and others of the legal context. Some lag will occur between the enactment of new law and its reflection in the manual. Current law will supersede any out-of-date (LEGAL) policy, in accordance with BF(LOCAL) in this manual.

Local Policies

Local policies are identified by the designation (LOCAL) directly below the alphabetical code, in the upper right corner of each page and again in the lower left corner.

Local policies that are preceded by a (LEGAL) policy in the same code generally expand on, or qualify, the legally referenced provisions. Other (LOCAL) policies stand alone, reflecting the Board's intentions in areas not otherwise addressed by law.

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| Versions | Local policy versions have been created to reflect language common to many districts and determined by the Board to be appropriate for the District. Local versions have the code in the lower left corner with the designation (LOCAL) followed by a letter (or letter/number combination) that identifies the version. |
| Unique Local Policies | A unique local policy developed by the District can be distinguished from the standard local versions by the designation (LOCAL)–X in the lower left corner of the page. |
| Regulations | Some districts have chosen to supplement their manuals with administrative procedures to assist in implementation of policy. These will be identified by the designation (REGULATION) directly below the code in the upper right corner. Regulations are not adopted by the Board. |
| Exhibits | <p>Exhibits are documents containing forms, notices, and the like, that are used by the District; some exhibits are promulgated by legal authority. While not adopted by the Board, they are included in the District's manual to assist in the implementation of policy. Exhibits have the designation (EXHIBIT) directly below the code, in the upper right corner. Multiple exhibits under the same code are usually preceded by a cover page listing the various exhibits.</p> <p>The usual sequence of materials, should all four documents be found at a given code, is (LEGAL), followed by (LOCAL), followed by (REGULATION), and then by (EXHIBIT).</p> |
| Margin Notes | Margin notes within an individual policy provide a key to the content of the paragraph or group of paragraphs they introduce, and significant margin notes are usually listed in the cross-index. Margin notes also provide a useful way to organize or map the information: Margin notes aligning on the left margin reflect generally independent topics. Indented margin notes are used to outline sub-topics introduced by the major, nonindented margin note. |
| Bottom Notes | <p>In addition to the document code, type, and version, the following bottom notes appear on policies, regulations, and exhibits in the manual:</p> <p>DATE ISSUED: Found in the lower left corner of each page, this indicates the date on which the document was last issued by TASB.</p> <p>UPDATE: Shows the numbered TASB update or the Local District Update in which that document was most recently revised.</p> |

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ADOPTED: At the center, bottom of a one-page policy or on the last page of a multi-page policy is the word "ADOPTED" followed by the date on which the Board last acted upon the policy. This notation appears only on (LOCAL) policies.

Official Manual

The official manual of the District has been designated in accordance with BF (LOCAL). No other manuals shall be considered authoritative or binding.

Revisions and amendments to the policy manual occur in two basic ways:

1. TASB periodically issues *TASB Policy Reference Manual* and Localized Policy Manual updates in response to changes effected by legal authority governing school districts. TASB updates, which are numbered sequentially, present to the local Board (LEGAL) policies for its review and (LOCAL) policies for its consideration and adoption. Through these updates, the manual remains consistent with evolving statutory and regulatory requirements.
2. Policy revisions may be initiated by the District at any time. The Board may revise policy in response to a TASB-initiated update by adjusting local text presented for its consideration; or the Board may adopt or revise policy on its own initiative in response to changing local circumstances.

In every case, local policy revisions initiated by the District must be submitted to TASB as a Local District Update for review by Policy Service consultants and TASB attorneys, who will alert the District if the changes are potentially troublesome or increase the legal exposure of the District. The revisions are processed into the electronic file maintained for each district. After the District notifies Policy Service that the Board has adopted the revisions, copies are sent to the District for incorporation into its Localized Policy Manual, and Policy On Line is updated with the revised text. The effectiveness of the updating system depends on the accuracy of TASB records; for this reason it is critical that revisions be promptly submitted to TASB Policy Service.

TASB Use of District Records

Participating districts agree to allow TASB Policy Service to use District policy records maintained by Policy Service in statistical studies or projects aimed at achieving TASB's goal of supporting public education in the state of Texas. In no event shall TASB, Inc. act as custodian of District records within the meaning of that term in the public information law.

Exhibit "B"

SCHOOL DAY

EC
(LEGAL)

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|--------------------------------|--|
| Length and Schedule | A school day shall be at least seven hours each day, including intermissions and recesses. A day of instruction means 420 minutes of instruction. |
| Pledges of Allegiance | <p>A board shall require students, once during each school day, to recite the pledges of allegiance to the United States and Texas flags.</p> <p>On written request from a student's parent or guardian, a district shall excuse the student from reciting a pledge of allegiance.</p> |
| Minute of Silence | <p>A board shall provide for the observance of one minute of silence following the recitation of the pledges of allegiance. During the one-minute period, each student may reflect, pray, or meditate, or engage in any other silent activity that is not likely to interfere with or distract another student. Each teacher or other school employee in charge of the students during that period shall ensure that each student remains silent and does not act in a manner that is likely to interfere with or distract another student.</p> <p><i>Education Code 25.082</i></p> |
| Kindergarten Program | A public school kindergarten may be operated on a half-day or full-day basis as determined by the board. <i>Education Code 29.152</i> |
| Grant Programs | A district may use funds from grants administered by the Commissioner to operate an existing half-day kindergarten on a full-day basis. <i>Education Code 29.155(a)</i> |
| Prekindergarten Grant Programs | A district is eligible for half-day funding for each eligible student participating in a high-quality prekindergarten grant program. <i>Education Code 29.166</i> [See EHBG] |
| Interruptions | A board shall adopt and strictly enforce a policy limiting interruptions of classes during the school day for nonacademic activities such as announcements and sales promotions. At a minimum, the policy must limit announcements other than emergency announcements to once during the school day. |
| Loss of Class Time | <p>A board shall adopt and strictly enforce a policy limiting the removal of students from class for remedial tutoring or test preparation. A district may not remove a student from a regularly scheduled class for remedial tutoring or test preparation if, as a result of the removal, the student would miss more than ten percent of the school days on which the class is offered, unless the student's parent or another person standing in parental relation to the student provides to the district written consent for removal from class for such purpose. [See EHBC for provisions on tutorial services.]</p> <p><i>Education Code 25.083</i></p> |

Exhibit "C"

SCHOOL DAY

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Loss of Class Time

The District shall not remove a student from a regularly scheduled class for tutoring or test preparation for more than ten percent of the school days on which the class is offered without a parent's written consent.

Interruptions

The District shall limit nonacademic activities that interrupt and distract from the academic process and shall enforce the following restrictions:

1. Announcements, other than emergency announcements, shall be made over the public address system only once during the school day.
2. Selling or solicitation shall not be permitted during class time.
[For fundraising activities, see FJ]

Exhibit "D"

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

Each District employee shall perform his or her duties in accordance with state and federal law, District policy, and ethical standards. [See DH(EXHIBIT)]

Each District employee shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District.

An employee wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

**Violations of
Standards of
Conduct**

Each employee shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to his or her status as a District employee. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCD and DF series]

Weapons Prohibited

The District prohibits the use, possession, or display of any firearm, illegal knife, club, or prohibited weapon, as defined at FNCG, on District property at all times.

Exceptions

No violation of this policy occurs when:

1. Use or possession of a firearm by a specific employee is authorized by Board action. [See CKE]
2. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

Electronic Media

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), electronic forums (chat rooms), video-sharing websites, editorial comments posted on the Internet, and social network sites. Electronic media also includes all forms of telecommunication, such as landlines, cell phones, and web-based applications.

Use with Students

In accordance with administrative regulations, a certified or licensed employee, or any other employee designated in writing by the Superintendent or a campus principal, may use electronic media to communicate with currently enrolled students about matters within the scope of the employee's professional responsibilities. All other employees are prohibited from using electronic media to communicate directly with students who are currently enrolled in the District. The regulations shall address:

1. Exceptions for family and social relationships;

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EMPLOYEE STANDARDS OF CONDUCT

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(LOCAL)

2. The circumstances under which an employee may use text messaging to communicate with students; and
3. Other matters deemed appropriate by the Superintendent or designee.

Each employee shall comply with the District's requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CPC]

Personal Use

An employee shall be held to the same professional standards in his or her public use of electronic media as for any other public conduct. If an employee's use of electronic media violates state or federal law or District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

Safety Requirements

Each employee shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

Harassment or Abuse

An employee shall not engage in prohibited harassment, including sexual harassment, of:

1. Other employees. [See DIA]
2. Students. [See FFH; see FFG regarding child abuse and neglect.]

While acting in the course of employment, an employee shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.

An employee shall report child abuse or neglect as required by law. [See FFG]

Relationships with Students

An employee shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See FFH]

Tobacco and E-Cigarettes

An employee shall not smoke or use tobacco products or e-cigarettes on District property, in District vehicles, or at school-related activities. [See also GKA]

Alcohol and Drugs

An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while on District property or at school-related activities during or outside of usual working hours:

EMPLOYEE STANDARDS OF CONDUCT

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1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

Exceptions

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use; or
3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian.

Notice

Each employee shall be given a copy of the District's notice regarding drug-free schools. [See DI(EXHIBIT)]

A copy of this policy, a purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.

**Arrests, Indictments,
Convictions, and
Other Adjudications**

An employee shall notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:

1. Crimes involving school property or funds;
2. Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or
4. Crimes involving moral turpitude, which include:

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(LOCAL)

- Dishonesty, fraud, deceit, theft, or misrepresentation;
- Deliberate violence;
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
- Felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
- Felony driving while intoxicated (DWI); or
- Acts constituting abuse or neglect under the Texas Family Code.

Dress and Grooming

As professionals and role models for all students, District employees are expected to support and adhere to the District dress code standards. The standards adopted for students and outlined in the student handbook shall serve as minimum requirements for all employees, with the exceptions noted below:

1. Members of the teaching staff shall dress in a professional manner and shall not wear overly casual attire or jean-type pants of any style or color. At the principal's discretion, one day per week may be designated as "spirit" day, and jean-type pants or coordinated windsuit-type clothing may be worn with the school's adopted spirit, departmental, or other similarly styled shirt.
2. Male staff members, with the exception of administrative staff members, shall be expected to wear while on duty a collared shirt, with or without a tie. Physical education teachers may wear shirts appropriate to their assignment.
3. Men may have a neatly groomed mustache or beard but otherwise shall be clean-shaven.
4. All employees shall be required to wear an approved District identification badge in a standardized manner visible on the upper part of their clothing.

District Expectations of Sponsors

The following is a list of some of the District's major expectations of its cocurricular and extracurricular staff members in academic contests, athletics, cheerleading, drama, drill team, music, speech, and in the various other programs that are designed to provide a full range of educational experiences for District students:

1. Classroom academic assignments come first.

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2. Winning is always the goal in any contest, but it is not the most significant aspect of the District's cocurricular and extra-curricular programs.
3. Proper sportsmanship shall be exhibited at all times. Positive guidance is necessary in helping participants understand that such things as "breaks," "luck," and "calls" by competition officials or referees can go "either way" and regardless of what happens, everyone must continue to function within the rules.
4. Participants should be complimented on performance when it is justified.
5. Sarcasm and a demeaning attitude toward students shall not be tolerated.
6. Coaches, directors, and sponsors shall never use profanity toward a student or allow a student to be subject to any verbal or physical abuse, including hazing.
7. Errors by students can be expected and should be treated in a professional manner by the coach, director, or sponsor.
8. Behavior of the coach, director, or sponsor toward the participants during practice sessions and contests shall be reasonable and appropriate.
9. Each coach, director, and sponsor shall be familiar with the process of human growth and development to the extent that individual differences in a student's rate of progress, stamina, and physical conditioning are respected in both the practice sessions and in the contest.
10. Tryout activities for athletic teams, drama productions, and for all other student groups should be of such sufficient duration and scope that the student will feel as if he or she had a reasonable chance to display the skills sufficient to be selected for participation.
11. Each teacher employed by the District for a cocurricular or extracurricular assignment shall be fully knowledgeable of the District's departmental guidelines, applicable policies of the Board, and administrative directives.
12. Each staff member shall be aware of the role of the University Interscholastic League (UIL) and any other appropriate governing body and shall be knowledgeable of the eligibility rules.
13. Each high school head coach, director, and sponsor shall take responsibility for advising and guiding the parent booster group in consultation with the school principal.

EMPLOYEE STANDARDS OF CONDUCT

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14. Each head coach, director, and sponsor shall be actively involved in planning and conducting the end-of-season banquets or recognition programs.
15. Each coach, director, and sponsor shall be aware of the budget, inventory, and purchasing process of the District.
16. Each coach, director, and sponsor shall be responsible for the District facilities that he or she uses and shall exercise the proper degree of responsibility for security and student and spectator safety at all times.
17. Recruiting a student or family from one attendance zone to another or encouraging students to refrain from participating in another sport or school activity shall not be allowed.
18. All coaches, directors, and sponsors shall be aware of the importance of communication between themselves and parents. Teamwork between parents and the District shall be apparent in all areas.

Annual Notification Each of the statements above shall be included in any administrative manuals or handbooks that are distributed.

Exhibit "E"

EMPLOYEE STANDARDS OF CONDUCT

DH
(EXHIBIT)

Educators' Code of Ethics

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. *19 TAC 247.1*

1. Professional Ethical Conduct, Practices, and Performance

Standard 1.1. The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

Standard 1.2. The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

Standard 1.3. The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

Standard 1.4. The educator shall not use institutional or professional privileges for personal or partisan advantage.

Standard 1.5. The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

Standard 1.6. The educator shall not falsify records, or direct or coerce others to do so.

Standard 1.7. The educator shall comply with state regulations, written local school board policies, and other state and federal laws.

Standard 1.8. The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

Standard 1.9. The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.

Standard 1.10. The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.

EMPLOYEE STANDARDS OF CONDUCT

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Standard 1.11. The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

Standard 1.12. The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.

Standard 1.13. The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

Standard 1.14. The educator shall not assist another educator, school employee, contractor, or agent in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.

2. Ethical Conduct Toward Professional Colleagues

Standard 2.1. The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

Standard 2.2. The educator shall not harm others by knowingly making false statements about a colleague or the school system.

Standard 2.3. The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.

Standard 2.4. The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

Standard 2.5. The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.

Standard 2.6. The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.

Standard 2.7. The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under this chapter.

3. Ethical Conduct Toward Students

Standard 3.1. The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

Standard 3.2. The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

EMPLOYEE STANDARDS OF CONDUCT

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Standard 3.3. The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

Standard 3.4. The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

Standard 3.5. The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

Standard 3.6. The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.

Standard 3.7. The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

Standard 3.8. The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.

Standard 3.9. The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, e-mail, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

- a. The nature, purpose, timing, and amount of the communication;
- b. The subject matter of the communication;
- c. Whether the communication was made openly or the educator attempted to conceal the communication;
- d. Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- e. Whether the communication was sexually explicit; and
- f. Whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

19 TAC 247.2

Exhibit "F"

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PROBATIONARY CONTRACTS
SUSPENSION/TERMINATION DURING CONTRACT

DFAA
(LEGAL)

Discharge

Any probationary contract employee may be discharged at any time for good cause as determined by the board. "Good cause" is the failure to meet the accepted standards of conduct for the profession as generally recognized and applied in similarly situated school districts in this state. *Education Code 21.104(a)*

[See DHB regarding circumstances in which a certified employee's dismissal must be reported to the State Board for Educator Certification (SBEC).]

Suspension

A district may, for good cause as defined above, suspend an employee without pay in lieu of discharge or pending discharge. The period of suspension may not extend beyond the end of the current school year. *Education Code 21.104(b)*

Notice

Before any probationary contract employee is dismissed or suspended without pay for good cause, the employee shall be given reasonable notice in writing of the charges against him or her and an explanation of a district's evidence, set out in sufficient detail to fairly enable the employee to show any error that may exist. *Cleveland Bd. of Educ. v. Loudermill*, 470 U.S. 532 (1985)

Hearing

If the employee is protesting proposed action to suspend or terminate a probationary contract for good cause, under Education Code 21.104, the employee is entitled to a hearing before an independent hearing examiner under Education Code Chapter 21, Subchapter F [see DFD].

Exception

If the employee is protesting proposed action to terminate a probationary contract before the end of the contract period on the basis of a financial exigency declared under Education Code 44.011 [see CEA], the employee is entitled to a hearing in the manner provided under Education Code 21.207 for nonrenewal of a term contract [see DFBB] or a hearing under Education Code Chapter 21, Subchapter F, as determined by the board.

Education Code 21.1041

Exhibit "G"

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TERM CONTRACTS
SUSPENSION/TERMINATION DURING CONTRACT

DFBA
(LEGAL)

**Suspension without
Pay**

A board may, for good cause as determined by the board, suspend an employee without pay:

1. Pending discharge, or
2. In lieu of termination.

The suspension may not extend beyond the end of the school year.

Education Code 21.211(b)

Back Pay

If an employee is not discharged after being suspended without pay pending discharge, the employee is entitled to back pay for the period of suspension. *Education Code 21.211(c)*

**Grounds for
Dismissal**

A board may terminate a term contract and discharge a term contract employee at any time for:

1. Good cause as determined by the board; or
2. A financial exigency that requires a reduction in personnel.

Education Code 21.211(a)

Notice

Before any term contract employee is dismissed for good cause, the employee shall be given reasonable notice in writing of the charges against him or her and an explanation of a district's evidence, set out in sufficient detail to fairly enable the employee to show any error that may exist. *Cleveland Bd. of Educ. v. Loudermill*, 470 U.S. 532 (1985)

Hearing

If a term contract employee desires a hearing before an independent hearing examiner, the employee must file a written request with the commissioner of education not later than the 15th day after the date the employee receives notice of the proposed termination or suspension without pay. The employee must provide a district with a copy of the request and must provide the commissioner with a copy of the notice.

The parties may agree in writing to extend by not more than ten days the deadline for requesting a hearing.

Education Code 21.251(a), .253 [See DFD]

Financial Exigency

An employee who is protesting proposed action to terminate a term contract at any time on the basis of a financial exigency declared under Education Code 44.011 [see CEA] that requires a reduction in personnel must notify the board in writing not later than the tenth day after the date the employee receives notice of the proposed action. The employee is entitled to a hearing in the manner provided under Education Code 21.207 for nonrenewal of a term contract

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TERM CONTRACTS
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DFBA
(LEGAL)

[see DFBB] or a hearing under Education Code Chapter 21, Subchapter F, as determined by the board. *Education Code 21.159*

Suspension with Pay The employee may be suspended with pay pending the outcome of the dismissal hearing. *Moore v. Knowles*, 482 F.2d 1069 (5th Cir. 1973)

[See DHB regarding circumstances in which a certified employee's dismissal must be reported to the State Board for Educator Certification.]

Report by Principal The principal of a district, including a district of innovation, must notify the superintendent not later than the seventh business day after the date of an educator's termination of employment following an alleged incident of misconduct described by Education Code 21.006(b) [see DP]. *Education Code 21.006(b-2)*

Exhibit "H"

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CONTINUING CONTRACTS
SUSPENSION/TERMINATION

DFCA
(LEGAL)

Discharge

An employee employed under a continuing contract may be discharged at any time for good cause as determined by the board. "Good cause" is the failure to meet the accepted standards of conduct for the profession as generally recognized and applied in similarly situated school districts in this state.

Suspension

For good cause as defined above, a district may suspend an employee without pay and for a period not to extend beyond the end of the current school year in lieu of discharge or pending discharge.

Education Code 21.156

Reduction in Force

Continuing contract employees may be released from employment by a district at the end of a school year because of a necessary reduction of personnel.

A necessary reduction of personnel shall be made primarily based upon teacher appraisals administered under Education Code 21.352 in the specific teaching fields and other criteria as determined by the board.

Education Code 21.157

Notice

Before any employee under a continuing contract is discharged, suspended without pay in lieu of discharge, or released because of a necessary reduction in personnel, the employee shall be notified in writing by the board of the proposed action and the grounds for the action. *Education Code 21.158(a)*

An employee who is discharged or suspended without pay for actions related to the inability or failure of the employee to perform assigned duties is entitled, as a matter of right, to a copy of each evaluation report or any other written memorandum that concerns the fitness or conduct of the employee, by requesting in writing a copy of these documents. *Education Code 21.158(b)*

Hearing

An employee who desires to protest a proposed suspension or contract termination under Education Code 21.156 or 21.157 must notify the board in writing not later than the tenth day after the date the employee receives notice of the proposed action.

An employee who notifies a board within the time prescribed is entitled to:

1. A hearing before an independent hearing examiner under Education Code Chapter 21, Subchapter F [see DFD], if the employee is protesting proposed action to suspend or terminate the employee's continuing contract under Education Code 21.156; or

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CONTINUING CONTRACTS
SUSPENSION/TERMINATION

DFCA
(LEGAL)

2. A hearing in the manner provided under Education Code 21.207 for nonrenewal of a term contract [see DFBB] or a hearing under Education Code Chapter 21, Subchapter F, as determined by the board, if the employee is protesting proposed action under Education Code 21.157 on the basis of a financial exigency declared under Section 44.011 [see CEA] that requires a reduction in personnel.

Education Code 21.159

**Hearing Not
Requested**

If the employee does not request a hearing within the time prescribed, the board shall take the appropriate action and notify the employee in writing of the action not later than the 30th day after the date the board sent the notice of the proposed action. *Education Code 21.159(c)*

[See DHB regarding circumstances under which a certified employee's termination during the year shall be reported to the State Board for Educator Certification (SBEC).]

Exhibit "I"

PROBATIONARY CONTRACTS
SUSPENSION/TERMINATION DURING CONTRACT

DFAA
(LOCAL)

- Suspension with Pay** A probationary contract employee may be suspended with pay and placed on administrative leave by the Superintendent during an investigation of alleged misconduct by the employee or at any time the Superintendent determines that the District's best interest will be served by the suspension.
- Dismissal** A probationary contract employee shall have his or her employment terminated for immorality, reprehensible conduct, insubordination, unsatisfactory job performance, or any other reason constituting good cause. A recommendation of the Superintendent and approval of the Board are required for dismissal of a probationary contract employee.
- Temporary Reassignment** If a probationary contract employee has been charged with a misdemeanor or indicted for a felony, he or she may be reassigned by the Superintendent to another position without a change in salary prior to resolution of the matter by the courts or through legal proceedings. [See also DCD, DFBA, and DFCA]

Exhibit "J"

TERM CONTRACTS
SUSPENSION/TERMINATION DURING CONTRACT

DFBA
(LOCAL)

- Suspension with Pay** A term contract employee may be suspended with pay and placed on administrative leave by the Superintendent during an investigation of alleged misconduct by the employee or at any time the Superintendent determines that the District's best interest will be served by the suspension.
- Dismissal** A term contract employee shall have his or her employment terminated for immorality, reprehensible conduct, insubordination, unsatisfactory job performance, or any other reason constituting good cause. A recommendation of the Superintendent and approval of the Board are required for dismissal of a term contract employee.
- Temporary Reassignment** If a term contract employee has been charged with a misdemeanor or indicted for a felony, he or she may be reassigned by the Superintendent to another position without a change in salary prior to resolution of the matter by the courts or through legal proceedings. [See also DCD, DFBA, and DFCA]

Exhibit "K"

CONTINUING CONTRACTS
SUSPENSION/TERMINATION

DFCA
(LOCAL)

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| Suspension with Pay | A continuing contract employee may be suspended with pay and placed on administrative leave by the Superintendent during an investigation of alleged misconduct by the employee or at any time the Superintendent determines that the District's best interest will be served by the suspension. |
| Dismissal | A continuing contract employee shall have his or her employment terminated for immorality, reprehensible conduct, insubordination, unsatisfactory job performance, or any other reason constituting good cause. A recommendation of the Superintendent and approval of the Board are required for dismissal of a continuing contract employee. |
| Temporary Reassignment | If a continuing contract employee has been charged with a misdemeanor or indicted for a felony, he or she may be reassigned by the Superintendent to another position without a change in salary prior to resolution of the matter by the courts or through legal proceedings. [See also DCD, DFAA, DFBA, and DFCA(LEGAL)] |

Exhibit "L"

SUPERINTENDENT
QUALIFICATIONS AND DUTIES

BJA
(LOCAL)

Duties

In addition to performing statutory duties [see BJA preceding], the Superintendent shall:

School /
Organizational
Climate

1. Be informed about all aspects of the instructional program and ensure that there is a continuous focus on improving student academic performance.
2. Work with the staff, Board, and community in curriculum planning.
3. Develop, evaluate and revise annually the District improvement plan, with the assistance of the District-level committee. [See BQ series and BR]
4. Promote goal-oriented performance and support for those involved in achieving District and campus performance objectives.
5. Conduct periodic evaluation of all programs and operations to determine improvements needed and to foster attainment of District and campus improvement plans.
6. Assist the Board in evaluating the effectiveness of school programs.
7. Demonstrate skill in anticipating, managing, and resolving conflict.

Personnel
Management

8. Recommend the number, types, and organization of positions, including central administration, needed to carry out District functions effectively.
9. Perform duties established by the Board regarding the recommendation, employment, suspension, and dismissal of employees. [See DC and DF series]
10. Assign and reassign all personnel; exercise final placement authority for educators transferred because of enrollment shifts or program changes. [See DK]
11. Direct and supervise the staff evaluation program and provide effective two-way communication with District personnel. [See DNA]
12. Serve as liaison between the Board and staff.
13. Develop and recommend pay systems; recommend pay increases or adjustments for personnel. [See DEA]
14. Support staff development and other professional development programs. [See DMA]

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QUALIFICATIONS AND DUTIESBJA
(LOCAL)

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| | 15. Promote a positive work environment that fosters high staff morale and excellence within the District. |
| Administration and Fiscal / Facilities Management | 16. Be informed of developments in state, federal, and local laws and public policy affecting education. |
| | 17. Accurately prepare and submit in a timely manner any and all reports required by the Board, TEA, other federal and state agencies, and any records subpoenaed by a court of law. |
| | 18. Direct and supervise all financial accounting and ensure that funds are expended legally, in accordance with the approved budget, and controlled effectively. [See CF series] |
| | 19. Ensure District compliance with all applicable state and federal requirements. |
| | 20. Ensure that the school plant and facilities are properly maintained and that adequate provision is made for the safety of students, employees, and other users of school facilities. [See CK series] |
| | 21. Monitor District property, casualty, and workers' compensation loss experience to ensure that appropriate risk management and loss control strategies are employed. |
| Student Services Management | 22. Ensure a favorable educational environment through the implementation of an equitable and efficient system of student behavioral management. |
| | 23. Work with staff, Board, and community in planning and implementing support services for students. |
| School - Community Relations | 24. Develop and implement effective communication between the schools and community; promote community support and involvement with the schools. [See GB series] |
| | 25. Represent the District in activities involving other school systems, institutions, agencies, and professional and community groups. |
| | 26. Interpret Board policies to the staff, parents, and community. |
| Professional Growth and Development | 27. Formulate, with the Board, an annual Superintendent's professional development plan and assist the Board in designing a process for evaluating the Superintendent's performance. [See BJCB and BJCD] |
| | 28. Pursue professional development through reading, attending conferences, and being involved with related agencies. |

SUPERINTENDENT
QUALIFICATIONS AND DUTIES

BJA
(LOCAL)

Board-
Superintendent
Relations

29. Assist the Board in identifying individual and team training needs, and in arranging training opportunities. [See BBD]
30. Prepare Board agendas and meeting materials in cooperation with the Board President. [See BE]
31. Attend and participate in all meetings of the Board except closed meetings when the Board desires to discuss such matters as the Superintendent's contract or evaluation privately.
32. Keep the Board continuously informed on issues, needs, and operations of the District.
33. Exercise discretion and good judgment in matters not covered by Board policy.
34. Serve as custodian of all minutes and records of the Board.
35. Communicate with the District's attorney on matters in litigation or potential litigation except as otherwise directed by the Board.
36. Perform related duties assigned by action of the Board.

Exhibit "M"

PERSONNEL POSITIONS

DP
(LEGAL)

Principal

Qualifications

A board, by local policy, shall adopt qualifications for principals.
Education Code 11.202(c)

Certification

To be eligible to receive a Standard Principal Certificate, an individual must:

1. Successfully complete the educator assessments required under 19 Administrative Code 230.5.
2. Hold a master's degree from an accredited institution of higher education.
3. Have two years of creditable teaching experience as a classroom teacher, as defined by 19 Administrative Code Chapter 230, Subchapter Y.

19 TAC 241.25

Duties

The principal shall be the instructional leader of the school and shall be provided with adequate training and personnel assistance to assume that role. *Education Code 11.202(a)*

A principal shall:

1. Approve all teacher and staff appointments for the campus. [See DK]
2. Set specific education objectives for the campus, through the planning process.
3. Develop budgets for the campus.
4. Assume administrative responsibility and instructional leadership, under the supervision of the superintendent, for discipline at the campus.
5. Assign, evaluate, and promote all personnel assigned to the campus.
6. Recommend to the superintendent the termination, suspension, or nonrenewal of an employee assigned to the campus.
7. Perform any other duties assigned by the superintendent pursuant to board policy.
8. Regularly consult with the campus-level committee in the planning, operation, supervision, and evaluation of the campus educational program. [See BQ series]
9. Each school year, with the assistance of the campus-level committee, develop, review, and revise the campus improvement plan. [See BQ]

PERSONNEL POSITIONS

DP
(LEGAL)

10. (For high school principals only) Serve, or appoint someone to serve, as deputy registrar for the county in which the school is located. *Election Code 13.046*

Education Code 11.202(b), .253(c), (h), 31.103(a) [See also DMA]

Principal's Report to
Superintendent

A principal must notify the superintendent not later than the seventh business day after the date:

1. Of an educator's termination of employment or resignation following an alleged incident of misconduct under Education Code 26.001(b); or
2. The principal knew about an educator's criminal record under Education Code 21.006(b)(1).

Education Code 21.006(b-2) [See Required Reports at DHB]

*Sanctions and
Administrative
Penalty*

SBEC determines whether to impose sanctions, including an administrative penalty, against a principal who fails to provide notification to a superintendent. *Education Code 21.006(f)*

If a principal is required to notify a superintendent about an educator's criminal record or alleged incident of misconduct and fails to provide the notice by the required date, SBEC may impose an administrative penalty of not less than \$500 and not more than \$10,000. SBEC may not renew the certification of an educator against whom an administrative penalty is imposed until the penalty is paid. *Education Code 21.006 (i)*

Criminal Offense

A principal required to notify a superintendent about an educator's criminal record or alleged incident of misconduct commits a state jail felony if the principal fails to provide the notice by the required date with intent to conceal an educator's criminal record or alleged incident of misconduct. *Education Code 21.006(b-2)*

Exhibit "N"

PERSONNEL POSITIONS

DP
(LOCAL)

**Principal
Qualifications**

In addition to the minimal certification requirement, the principal shall have at least:

1. Working knowledge of curriculum and instruction;
2. The ability to evaluate instructional program and teaching effectiveness;
3. The ability to manage budget and personnel and coordinate campus functions;
4. The ability to explain policy, procedures, and data;
5. Strong communications, public relations, and interpersonal skills;
6. Prior experience in instructional leadership roles; and
7. Other qualifications deemed necessary by the Board.

Exhibit "O"

Klein ISD
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STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LEGAL)

Definitions

Bullying

“Bullying”:

1. Means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that satisfies the applicability requirements below and that:
 - a. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;
 - b. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
 - c. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
 - d. Infringes on the rights of the victim at school; and
2. Includes cyberbullying.

Cyberbullying

“Cyberbullying” means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

Applicability

These provisions apply to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying:
 - a. Interferes with a student's educational opportunities; or

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LEGAL)

- b. Substantially disrupts the orderly operation of a class-room, school, or school-sponsored or school-related activity.

Policy

The board shall adopt a policy, including any necessary procedures, concerning bullying that:

1. Prohibits the bullying of a student;
2. Prohibits retaliation against any person, including a victim, a witness, or another person, who in good faith provides information concerning an incident of bullying;
3. Establishes a procedure for providing notice of an incident of bullying to:
 - a. A parent or guardian of the alleged victim on or before the third business day after the date the incident is reported; and
 - b. A parent or guardian of the alleged bully within a reasonable amount of time after the incident;
4. Establishes the actions a student should take to obtain assistance and intervention in response to bullying;
5. Sets out the available counseling options for a student who is a victim of or a witness to bullying or who engages in bullying;
6. Establishes procedures for reporting an incident of bullying, including procedures for a student to anonymously report an incident of bullying, investigating a reported incident of bullying, and determining whether the reported incident of bullying occurred;
7. Prohibits the imposition of a disciplinary measure on a student who, after an investigation, is found to be a victim of bullying, on the basis of that student's use of reasonable self-defense in response to the bullying; and
8. Requires that discipline for bullying of a student with disabilities comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

The policy and any necessary procedures must be included annually in the student and employee handbooks and in the district improvement plan under Education Code 11.252. [See BQ]

Internet Posting

The procedure for reporting bullying must be posted on a district's Internet Web site to the extent practicable.

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FREEDOM FROM BULLYING

FFI
(LEGAL)

**Prevention and
Mediation**

A district may establish a district-wide policy to assist in the prevention and mediation of bullying incidents between students that:

1. Interfere with a student's educational opportunities; or
2. Substantially disrupt the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Education Code 37.0832

Exhibit "P"

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FREEDOM FROM BULLYINGFFI
(LOCAL)

Note: This policy addresses bullying of District students. For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

Bullying Prohibited

The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Definition

Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the District and that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying if it:

1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
2. Interferes with a student's education or substantially disrupts the operation of a school.

Retaliation

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

Examples

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

False Claim

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

Timely Reporting

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately

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STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

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| | report may impair the District's ability to investigate and address the prohibited conduct. |
| Reporting Procedures | To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee. |
| Student Report | |
| Employee Report | Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall promptly notify the principal or designee. |
| Report Format | A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form. |
| Prohibited Conduct | The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct. |
| Investigation of Report | The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate. |
| Concluding the Investigation | Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation. |
| | The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. |
| Notice to Parents | If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying. |
| District Action | If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. |
| Bullying | |

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FREEDOM FROM BULLYING

FFI
(LOCAL)

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| <i>Discipline</i> | <p>A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.</p> <p>The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.</p> |
| <i>Corrective Action</i> | <p>Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.</p> |
| <i>Transfers</i> | <p>The principal or designee shall refer to FDB for transfer provisions.</p> |
| <i>Counseling</i> | <p>The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.</p> |
| <i>Improper Conduct</i> | <p>If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.</p> |
| Confidentiality | <p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.</p> |
| Appeal | <p>A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.</p> |
| Records Retention | <p>Retention of records shall be in accordance with CPC(LOCAL).</p> |
| Access to Policy and Procedures | <p>This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's Web site, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.</p> |